



Environmental Laboratory Advisory Committee (ELAC) Final Meeting Minutes: July 16, 2015

Note: Information communicated in these minutes is not to be used as official New Jersey Department of Environmental Protection policy or as an official Department notification. Contact NJDEP officials directly for official information regarding matters communicated in these minutes.

Administrative Business:

The meeting was called to order at 9:30am by the ELAC Chair, Eileen Snyder (Alpha Analytical). Meeting minutes were taken by Nick Straccione (Accutest Labs). The June 2015 ELAC Meeting Minutes were approved, with a motion by Tom Cady (APL) and seconded by Harvey Klein (Garden State Labs).

Environmental Laboratory Certification Program (ECLP): An update was provided by Michelle Potter and Debra Waller (NJDEP-OQA).

Reorganization and Staff Changes - NJDEP is in the process of reorganization. Joseph Aiello was recently promoted to Assistant Director and manager of three groups, with Michele Potter acting as bureau chief for NJDEP OQA, the post previously held by Mr. Aiello. NJDEP OQA was recently moved under Enforcement and Compliance. In spring 2015, OQA hired two new employees; they are in the process of being trained. Rachel Ellis replaced Mike DiBalsi for administrative matters and also retains her responsibilities for the PT testing program. Mike DiBalsi retired in July 2015. In early July 2015, Ray Bukowski was appointed Assistant Commissioner for Compliance and Enforcement; previously, he held a variety of NJDEP posts, including air enforcement, coastal enforcement and the Deputy Commissioner's office.

Renewals - Labs which paid their renewal fees and submitted their application paperwork have received a letter of extension until September 30, 2015. If fees were not paid, or an application was not received by OQA, an extension letter was not sent; Labs without an extension letter are in expired certification status. In response to the request made at the June ELAC meeting, OQA notified Labs that payment in full of all annual certification renewal fees is the only payment option; partial or quarterly payments are not an option.

Method Update Rule (MUR) - The draft MUR was published in February 2015; the comment period closed in May 2015. The NJDEP adopted the 2011 editorial notations with the last MUR and letter from EPA in June 2012. The ELAC MUR Subcommittee has not completed Part 4000 of the quick reference guide. This section was to be divided into parts; however, subcommittee members have not come forward for assignments. For that reason, that ELAC MUR Subcommittee will wait until the next MUR is finalized to bring the quick reference guide up to date.

Questions on the Certification Program may be emailed to Michele Potter (NJDEP-OQA) at: michele.potter@dep.nj.gov or Rachel Ellis (NJDEP-OQA) at: rachel.ellis@dep.nj.gov

Proficiency Test (PT) Program: An update was provided by Michelle Potter and Debra Waller of NJDEP OQA.

The PT program continues to operate as outlined on the OQA website: <http://www.nj.gov/dep/oqa/samples.html>

Questions on the PT Program may be emailed to Rachel Ellis (NJDEP-OQA) at: rachel.ellis@dep.nj.gov

The NELAC Institute (TNI): An update was provided by Deb Waller and Michelle Potter (NJDEP OQA).

The Environmental Measurement Symposium was held in Chicago IL on July 13-17, 2015. This combined meeting of the Forum on Laboratory Accreditation and the National Environmental Monitoring Conference (NEMC) was co-sponsored by The NELAC Institute (TNI) and USEPA. Presentations focused on organic analytical topics and new technology. NJDEP OQA representatives attended this meeting.

Labs are encouraged to check the TNI website frequently for updated postings. The voting standard for Module IV is on the TNI website; this is the document that is being finalized for implementation; the comment period is closed for Module IV. The working draft PT standard was recently posted to the TNI website; the draft is available for review and vote through August 21, 2015.

Communications and OQA website: The ELAC website is up to date. (Note: no ELAC Meeting was held in May 2015).

Sludge / Biosolids: An NJDEP representative was not available to provide a program update.

As of July 1, 2015, electronic data reporting for bio-solids is now required for Residuals (SQAR) Discharge Monitoring Report (DMR) Data, as noted by Charles Anzolut (AGRA). Any questions on data reporting may be directed to Tim Doult by phone: 609-633-3823, or by email: tim.doult@dep.nj.gov

It was suggested that this sub-committee be removed from the regular monthly meeting and discussed as needed.

For questions regarding this program contact Anthony Pilawski at Anthony.Pilawski@dep.nj.gov, 609-633-3823.

Division of Water Supply/Safe Drinking Water: An update was provided by Sandy Krietzman (NJDEP BSDW) and Debra Waller (NJDEP OQA).

DW water systems were notified of the revised total coliform rule (RTCR; publ. Feb. 13, 2013). NJDEP OQA clarified that test method SM 9221E is specific to fecal coliform only; total coliform results are not generated by this method. The option to test total coliform original positive growth for fecal coliform has been eliminated. The only available option for testing the total coliform positive original growth is to test specifically for E. coli which SM 9221E cannot detect. Therefore SM 9221E will be removed from the drinking water program, effective April 2016.

BSDW plans to issue Best Management Practices (BMPs) in fall 2015, to assist community water supply systems on compliance with the requirements of the Revised Total Coliform Rule (RTCR) by April 1, 2016. BSDW is also developing guidance and training on the seasonal startup of water systems.

During the June meeting Linda B. asked if the start and end time could be included in the E2 data reporting format. Discussions agreed the start time would be important but not sure about end time. The request was made to replace the end time column with a data qualifier column (not a program required field, but a field that would assist data users).

Discussion on the sample Chain of Custody (COC) Form focused on the responsibility of the Lab receiving the samples to make sure that the COC document is legible and to note the organization that collected the samples. It was also noted that Labs receiving samples should verify there is a clearly defined upstream, downstream and original sample for a repeat Total coliform test due to a positive hit, so the repeat sample data set can be correlated to the original sample data set.

Questions on the Drinking Water Program may be emailed to Linda Bonnette (NJDEP-BSDW) at: linda.bonnette@dep.nj.gov

Site Remediation Program: No update was provided by an NJDEP representative.

Questions on the SRP Program may be emailed to Greg Toffoli (NJDEP-SRP) at: greg.toffoli@dep.nj.gov

New Business - Air Emissions:

As requested by ELAC member Labs, an overview was provided on NJDEP Air Regulations, permitting options, and enforcement activities by Richelle Wormley, Director of Air and Hazardous Materials Enforcement, and team including Larry Si, Greg John and Michael Adhanom.

Discussions included recent NJDEP air programs inspections of environmental laboratories. These inspections have focused on the existence of equipment with the potential to emit regulated substances. For example: a TurboVAP (water bath) unit that has the potential to emit more than 0.1lbs. per hour must be permitted in accordance with state rules.

Based on progress made to date evaluating and permitting major air emissions sources including power plants and refineries, NJDEP has begun to focus on other potential sources of air emissions. In 2013, NJDEP began conducting inspections of environmental laboratories starting with a small group of randomly selected labs, and expanding in 2015 to 30 labs. To date, one environmental lab has been permitted for air emissions.

Based on the results of these inspections, NJDEP plans to issue a Compliance Advisory to New Jersey laboratories. This notice will be emailed via the NJDEP OQA listserv, the NJDEP Compliance and Enforcement listserv, and the NJ ELAC mailing list, as well as a posted to the Compliance and Enforcement web page.

A summary was provided of the NJDEP air emissions permit process for two types of permits: a General Permit (GP) (\$820 per 5-year period) and Pre-Construction Permit (PCP) (\$2575 per 5-year period). The General Permit, obtained via a registration process, is restrictive and suited to lower levels of well characterized air emissions. The PCP is issued based on a facility-specific risk assessment. The 10 ton annual limit is used as one of several criteria in the permit applicability evaluation process. Existence of equipment with the potential to emit more than 0.1lbs. per hour of a regulated substance triggers the requirement for an air emissions permit. Labs are expected to implement solvent recovery systems to control air emissions of regulated substances as part of the air emissions permitting and compliance process.

NJDEP Air Pollution Control Rules (N.J.A.C. 7:27) differentiate between air emissions sources that exceed 10 tons per year of a regulated substance (e.g., methylene chloride), and equipment (listed in NJ rule subchapter 8.2) with the potential to emit 0.1lb per hour; both types of sources require an air emissions permit. Major sources are addressed under EPA's Title 5 Air Permit program including air emissions of greater than 25 tons per year.

Discussions included the definition of a Research and Development (R&D) facility, which was clarified as a facility operating for a 90-day period. Smaller labs that use smaller quantities of methylene chloride cannot qualify as an R&D lab, as they are opened for business year round with the potential to emit for greater than a 90-day period. Labs requested that NJDEP issue a Compliance Advisory and provide compliance guidance and assistance to Labs, as opposed to issuing of Notices of Violation (NOVs). One lab requested information on the calculation is used to generate solvent emissions from equipment listed in the rule. NJDEP suggested that laboratories request a pre-construction permit meeting to discuss their concerns. NJDEP reminded laboratories that potential sources that need to be evaluated include analytical instruments and equipment, as well boilers, HVAC systems, and generators.

NJDEP's Air Programs team provided the web links listed below to assist labs in understanding and complying with these rules and requirements:

1. Air Regulations -
 - a. Air Quality Permitting Program - <http://www.nj.gov/dep/aqpp/>
 - b. Air Regulations - <http://www.state.nj.us/dep/aqm/rules27.html>
 - c. Permits and Certificates for Minor Facilities - <http://www.state.nj.us/dep/aqm/Sub8v2015.pdf>
 - d. Operating Permits (for Major Facilities) - <http://www.state.nj.us/dep/aqm/Sub22v2015.pdf>
2. Compliance and Enforcement -
 - a. General - <http://www.nj.gov/dep/enforcement/>
 - b. Compliance Advisory listserv - <http://www.nj.gov/dep/enforcement/advisories.html>
3. General Permits -
 - a. General Information - <http://www.nj.gov/dep/aqpp/gp.html>
 - b. Types of General Permits - <http://www.nj.gov/dep/aqpp/gp1list.htm>

Questions may be directed to Richelle Wormley (NJDEP Air & Hazardous Materials Enforcement) by phone: 609-633-7288, or email: Richelle.Wormley@dep.nj.gov

Questions on enforcement and applicability determinations, pre application meetings, or the permitting process may be directed to the Permitting Program field offices listed below:

NJDEP Air Quality Permitting - Main Office: 609-292-0834

NJDEP Air Compliance and Enforcement - Northern Field Office (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Warren, and Union Counties): 973-656-4444

NJDEP Air Compliance and Enforcement - Central Field Office (Burlington, Mercer, Middlesex, Monmouth, and Ocean Counties): 609-292-3187

NJDEP Air Compliance and Enforcement - Southern Field Office (Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties): 856-614-3601

NJDEP Compliance Advisory listserv subscription link: <http://www.state.nj.us/dep/enforcement/advisories.html>

Electronic Data Deliverables Subcommittee: An update for the SRP-EDD Subcommittee was provided by Roger Page and Ken Liao (NJDEP-SRP-BIS).

Discussion included incorporation of subcontractor lab analytical data in the prime lab's EDD. An example sub-lab/prime-lab data set was provided by IAL Labs; this is currently being worked on by the NJDEP EDD team. The existing HazSite EDD Checker is also being reviewed for issues.

Andy Geary retired on June 30, 2015. The new NJDEP SRP EDD contact is Don Cramer.

Questions and comments may be directed to Roger Page (NJDEP-SRP-BIS) at: roger.page@dep.nj.gov

Meeting Schedule: The Meeting was adjourned with a motion by Charles Anzolut (AGRA) and seconded by Steve Reduker (IAL). The next scheduled ELAC Meeting will be held on **Thursday August 13th, 2015 at 9:30AM**, at NJDEP, 401 East State Street, **5th Floor Conference Room** in Trenton, New Jersey. Those planning to attend must email the ELAC Secretary, Dorothy Love at: dorothylove@eurofinsUS.com by Thursday, August 2nd, 2015.

Note: *All visitors must show one form of photo identification, or two non-photo IDs, when signing in at the NJDEP main lobby in the Trenton, New Jersey complex (401, 501, 440 and 428 E. State Street buildings). All visitors should be prepared to verify their identification. **Visitors must be escorted at all times by a NJDEP representative when in the building.***